

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
WEDNESDAY, JANUARY 4, 1984

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. on Wednesday, January 4, 1984 in the City Hall Council Chambers.

[illegible]

Absent: Council Members - None

Also Present: City Manager Graves, Assistant City Manager Glenn, Community Development Director Schroeder, Public Works Director Ronsko, City Attorney Stein, and City Clerk Reimche

INVOCATION The invocation was given by Pastor E. Kreutz

PLEDGE The Pledge of Allegiance was led by Mayor Olson

PRESENTATIONS There were no presentations or awards made at this meeting

REPORTS OF THE CITY MANAGER

CONSENT CALENDAR In accordance with report and recommendation of the City Manager, Council, on motion of Council Member Pinkerton, Murphy second, approved the following actions hereinafter set forth.

* * * * *

CLAIMS CLAIMS WERE APPROVED IN THE AMOUNT OF \$921,906.16

MINUTES THE MINUTES OF DECEMBER 7, 1983 WERE APPROVED AS WRITTEN.

HUTCHINS STREET COUNCIL ACCEPTED THE IMPROVEMENTS IN "HUTCHINS STREET MEDIAN
MEDIAN IMPROVE- MASONRY WORK" AND DIRECTED THE PUBLIC WORKS DIRECTOR TO FILE
MENTS ACCEPTED A NOTICE OF COMPLETION WITH THE COUNTY RECORDER'S OFFICE.

Council was informed that this contract had been awarded to Case Construction of Lodi on November 16, 1983, in the amount of \$11,850. The contract has been completed in substantial conformance with the plans and specifications approved by the City Council at a final contract price of \$11,850.00.

RES. NO. 84-001 COUNCIL ADOPTED RESOLUTION NO. 84-001 ESTABLISHING CROSSWALKS ACROSS TURNER ROAD ON THE EAST SIDE OF COLOMA STREET; ACROSS MIWOK DRIVE ON THE NORTH SIDE OF COLOMA STREET; ACROSS MIWOK DRIVE ON THE NORTH SIDE OF TURNER ROAD; AND ACROSS WINTUN DRIVE ON THE NORTH SIDE OF TURNER ROAD.

Council was advised that Mokelumne Village, a subdivision north of Turner Road near Stockton Street, has generated a number of children who attend Lawrence School and must cross Turner Road in this area. To facilitate these crossings, the Engineering Department recommends the installation of the crosswalks.

RES. NO. 84-002 COUNCIL ADOPTED RESOLUTION NO. 84-002 ESTABLISHING A STOP SIGN ON PARK WEST DRIVE AT LOWER SACRAMENTO ROAD.

STOP SIGN AT PARK
WEST AT LOWER
SACRAMENTO ROAD
APPROVED

* * * * *

PUBLIC HEARINGS

ORDINANCE
REGULATING THE
USE AND OPERATION
OF AMBULANCES
UPON THE PUBLIC
STREETS

Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor Olson called for the Public Hearing to consider a proposed ordinance of the City of Lodi repealing Ordinance No. 756 and reenacting a new Ordinance regulating the use and operation of ambulances upon the public streets within the City of Lodi.

Following introduction of the matter by City Attorney Stein, Council, on motion of Council Member Pinkerton, Murphy second, continued the subject public hearing to Wednesday, January 18, 1984 at 8:00 p.m.

PUBLIC HEARING
CONTINUED

Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor Olson called for the Public Hearing:

NOMA RANCH EIR
AND REZONING

1. To consider the Planning Commission's recommendation that the Final Environmental Report for Noma Ranch, a 20+ acre residential project proposed for the north side of Almond Drive, Lodi, ¼ mile west of Cherokee Lane (4131 E. Almond Drive) be certified as adequate, and

2. To consider the appeal of Mr. Terry Piazza, c/o Baumbach and Piazza, 323 West Elm Street, Lodi, on behalf of Mr. Tom M. Noma of the Lodi City Planning Commission's denial to rezone a 20+ acre parcel on the North side of Almond Drive, Lodi, ¼ mile west of Cherokee Lane (4131 E. Almond Drive) from R-2, Single-Family-Residential to P-D (26), Planned Development District No. 26.

The matter was introduced by Community Development Director James Schroeder who presented diagrams of the subject area. Mr. Schroeder reminded the Council that the appeal would require a 4/5 vote of the Council for approval.

Community Development Director Schroeder presented a calendar of events regarding the annexation process as it related to the Noma Property.

Community Development Director Schroeder, apprised the Council that the Planning Commission had established the following findings regarding the Noma Ranch tentative Map on January 9, 1984.

1. That the proposed map is consistent with applicable general and specific plans;
2. That the design or improvement of the proposed subdivision is consistent with the applicable general and specific plans;
3. That the site is physically suitable for the type of improvement;
4. That the site is physically suitable for the proposed density of development;
5. That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish, wildlife or their habitat;
6. That the design of the subdivision or type of improvements is not likely to cause serious public health problems;
7. That the design of the subdivision or the type of improvements will not conflict with the easements, acquired

PUBLIC HEARINGS
(CONT'D)

by the public at large, for access through or use of, property within the proposed subdivision;

8. That the approval of this subdivision shall have a positive affect on the housing needs in the region in which the City is situated and balances these needs against the public service needs of its residents and available fiscal and environmental resources.

Mr. Schroeder further explained the Urban Growth plan (ultimate growth line).

The City Attorney spoke about the relationship to the Rual Land Owners law suit.

Assistant Planner David Morimoto presented the Final Environmental Impact Report for Noma Subdivision (EIR - 83-2).

The proposed project is the rezoning and subdivision of a 20+ acre parcel of land located on Almond Drive, ¼ mile west of Cherokee Lane. The project will contain 67 single-family lots, 13 duplex lots (26 units), and a 41-unit condominium lot. There is also a 1.3 acre parcel that will be sold to an adjacent property for use as a parking lot.

Mr. Morimoto's overview of the EIR included the project description; the environmental impacts; mitigation measures; alternatives to the project; irreversible and long-term impacts; cumulative impacts; growth-inducing impact; energy conservation.

Mr. Morimoto addressed the response to comments included in the environmental document.

Mr. Schroeder then addressed the Council regarding the vacancy rate within the City of Lodi.

Mr. Morimoto, Mr. Schroeder, and City Attorney Stein responded to questions as were posed by the Council.

The following persons spoke on behalf of the project:

- a) Mr. Don Geiger, 311 East Main Street, Lodi, Attorney at Law
- b) Mr. Glen Baumbach, Baumbach and Piazza, representing Search Development Company. Mr. Baumbach presented proposed alternates for the project.

The following persons spoke in opposition of the project:

- a) Mr. Fred Wilson, 4210 Almond Drive, Lodi - Mr. Wilson presented petitions requesting that the R-2 zoning be retained.
- b) Ms. Barbara Lea, 448 Almond Drive, Lodi
- c) Mr. Wilbur Ruhl, 3933 Almond Drive, Lodi

There were no other persons in the audience wishing to speak on the matter, and the public portion of the hearing was closed.

Following a lengthy discussion, with questions being directed to Staff, Council, on motion of Council Member Pinkerton, Reid second, certified the Noma Ranch Final Environmental Impact Report as adequate; established the following findings:

PUBLIC HEARINGS A. 1) ENVIRONMENTAL IMPACT
(CONT'D)

The project will result in the lost of 20± acres of prime agricultural soil. If the project is approved, this loss cannot be mitigated.

Finding

All the land in and around the City of Lodi is designated as prime agricultural soil.

The City does not have the option of building on "non prime" agricultural soils in order to preserve the prime soils. Every development built in the City, small or large, utilizes some prime agricultural soil. The residential, commercial and industrial needs of the City necessitates some urbanization of agricultural land.

Overriding considerations

The area in questions has been designated for residential development for many years by both the San Joaquin County and City of Lodi General Plan. The property currently has a zoning designation of R-2, Single-Family with corner duplexes. This existing zoning already permits development of the property. Prior to annexing to the City, the property had a similar zoning in the County. (pg. 2)

The area has been undergoing urbanization for many years. There are residential and commercial developments adjacent to the proposed project. The development is contiguous to existing developed areas and will be a logical continuation of the urbanized area. (pg. 2 & 14)

The City of Lodi has planned and constructed its utility system to serve the area with water, sewer and storm drainage in anticipation of the area developing. The existing infrastructure will allow development of the area without costly expenditures of public funds for the extension or construction of major new lines. (pg. 6 & 7)

2) ENVIRONMENTAL IMPACT

Urbanization of the subject parcel will affect adjacent agricultural parcels.

Finding

While some modification of current farming practices may be required, those modifications will not prevent the continued agricultural use of adjacent parcels. The use of agricultural chemicals can continue although in some cases alternative methods of application or types of chemicals may be required. (pg. 13 & 14)

Trespassing and vandalism on adjacent agricultural parcels can be reduced by constructing a solid fence along the entire west and north property line adjacent to any agricultural property. The fence will reduce trespassing and vandalism by reducing easy access from the subdivision. (pg. 13)

The City is surrounded by farming operations, yet has not experienced any particular problems concerning homeowners complaints about agricultural noise or dust. If a farmer uses a reasonable amount of care, it is unlikely that he would have a problem. (pg. 14)

PUBLIC HEARINGS
(CONT'D)

3. ENVIRONMENTAL IMPACT

The project will generate approximately 1,140 additional vehicle trips per day which will be added to surrounding streets.

Finding

The existing streets adjacent to the Noma Ranch Project area adequate to handle the additional traffic. Improvements that will be made on Almond Drive and on Valley Avenue will improve the overall traffic flow. This includes the installation of curbs, gutters and sidewalks on both streets and the completion of Valley and Elgin Avenues. (pg. 7,8 & 14)

4. ENVIRONMENTAL IMPACT

The project will produce some additional vehicle generated air pollution.

Finding

Based on air quality projections, the amount of additional air pollution will be less than 1/10th of 1% of the total for the City of Lodi. This level is not considered significant. (pg. 4 & 5)

5. ENVIRONMENTAL IMPACT

The project will generate an estimated 122 additional school-aged children. This will affect the LUSD and its ability to provide adequate classroom space.

Finding

The applicant has signed a contract with the LUSD in which he agrees to pay an impactation fee to the District. The District considers the payment of these fees as sufficient mitigation for the impact of the additional students.

B. 1) ALTERNATIVES TO THE PROJECT

The EIR discussed several alternatives to the proposed project. The following are findings on two of the alternatives.

Alternative 1

This alternative is a "no build" alternative, which would mean that no development would be constructed on the property.

Finding

This alternative would eliminate the environmental impacts resulting from the proposed project. This alternative would, however, affect the future supply of affordable housing.

The applicant is proposing to construct single-family houses that will sell for less than \$85,000. Housing in this price range provides affordable housing for the residents of Lodi. Housing priced above this level is out of the price range of the majority of the residents of Lodi.

Based on a vacant lot survey, it is estimated that there are approximately 406 vacant single-family lots in approved subdivisions that could contain houses of less than \$85,000. This figure represents approximately a 3-year supply of housing in this price range. Once this supply of affordable

PUBLIC HEARINGS
(CONT'D)

housing is used up there are very few new subdivisions being planned to take their place. Much of this is a result of the "Greenbelt Initiative" which has significantly restricted the possibility of new developments.

Residential projects like Noma Ranch often take 18-24 months from the time of approval to the first houses becoming available. Noma Ranch would come on line just as existing subdivisions in this price range are built out or nearly built out. Without projects like Noma Ranch, there would soon be a shortage of affordable housing units. (pg. 15, 16 & 17)

2) Alternative 3 (Discussed in Response to Comments)

This alternative would utilize an "infill" property as an alternative to the Noma property. (pg. 33)

Finding

The City of Lodi has consistently encouraged the utilization of "infill" parcels of land available in the City of Lodi. There are no parcels that could accommodate the Noma Ranch project. Most of the "infill" properties are small in size, ranging from single-family lots to one or two acres. All the large parcels are under development or have an approved project on them.

Additionally, most of these parcels, if they were available, would be very expensive. The price would probably make affordable housing impossible.

C. GROWTH-INDUCING IMPACT

The project will not have a significant growth-inducing impact on the City.

Finding

The passage of Measure A, the "Greenbelt Initiative", has placed a significant future growth limit on the City of Lodi. All new General Plan amendments that require an annexation must receive voter approval. It does not appear that the voters are inclined to approve any new annexations. Consequently there may be very little growth of the City in future years. Because there is very little vacant land left within the City limits, there may be very few new developments in coming years. (pg. 11 & 18)

Council determined that an adequate buffer or mitigation zone exists to assure continued productivity use of agricultural land in the Green Belt Area.

The motion carried by unanimous vote.

On motion of Council Member Pinkerton, Reid second, Council introduced Ordinance No. 1304 rezoning a 20+ acre parcel on the north side of Almond Drive, Lodi, 1/4 mile west of Cherokee Lane (4131 East Almond Drive - Noma Ranch - from R-2, Single-Family Residential to P-D (26), Planned Development District No. 26 with the following conditions:

1. For lots designated for single-family development
 - a) The lot size shall be as shown on the development plan as adopted by the City Council;
 - b) Building set-backs for front, side, street side and rear yards shall conform to Section 27-6, R-2 Residence District - One-family of the Lodi Municipal Code.

PUBLIC HEARINGS
(CONT'D)

- c) The maximum lot coverage shall not exceed 45 per-cent of the lot area.
 - d) The maximum height shall be two-stories or 35 feet whichever is the greater.
 - e) Two off-street parking spaces shall be provided for each lot with both spaces covered and in conformance with the set-back requirements of Section 27-6 of the Lodi Municipal Code.
2. For corner lots designated for duplex development
- a) The lot size shall be as shown on the development plan as adopted by the City Council.
 - b) Building set-backs for front, side, street side and rear yards shall conform to Section 27-6 of the Lodi Municipal Code.
 - c) The maximum lot coverage shall not exceed 45 per-cent of the lot area.
 - d) The maximum height shall be two-stories or 35 feet whichever is the greater.
 - e) Two off-street parking places shall be provided for each unit in a duplex with all such spaces covered and in conformance with the set-back and driveway requirements of Section 27-6 and 27-13 of the Lodi Municipal Code.
3. For Lot 41 designate for multiple-family purposes
- a) The maximum density shall be 15 units per gross acres with a maximum of 2.9 gross acres.
 - b) Building set-backs for front, side, street side and rear yards shall conform to Section 27-7, R-GA Residence District - Garden Apartment of the Lodi Municipal Code.
 - c) The maximum lot coverage shall not exceed 50 per cent of the parcel area.
 - d) The maximum height shall be two stories or 35 feet whichever is greater.
 - e) Two off-street parking spaces shall be provided for each residential unit in the project with two-thirds (i.e. 66 2/3%) of such spaces covered and in conformance with the set-back and driveway requirements of Section 27-7 and 27-13 of the Lodi Municipal Code.

ORD. NO. 1304
ADOPTED

The motion carried by the following vote:

Ayes: Council Members - Murphy, Pinkerton, Reid,
Snider, & Olson (Mayor)

Noes: Council Members - None

Absent: Council Members - None

AMENDMENTS TO
SECTION 27-13 (b)
OFF STREET
PARKING REQUIRE-
MENTS

Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor Olson called for the Public Hearing to consider certain recommended amendments to Section 27-13 (b), Off-Street parking requirements, of the Municipal Code.

Continued January 4, 1984

AMENDMENTS TO SECTION 27-13 (b) OFF STREET PARKING REQUIREMENTS (CONT'D)

The matter was introduced by Community Development Director Schroeder who then responded to questions regarding the matter as were posed by the Council.

There were no persons in the audience wishing to speak on the matter, and the public portion of the hearing was closed.

ORD.NO.1305 ADOPTED

Council Member Pinkerton then moved for introduction of Ordinance No. 1305 - An Ordinance amending Section 27-13 (b) off-street parking requirements of the Municipal Code. The motion was seconded by Mayor Pro Tempore Snider and carried by the following vote:

Ayes: Council Members - Murphy, Pinkerton, Snider, Reid, and Olson (Mayor)

Noes: Council Members - None

Absent: Council Members - None

PLANNING COMMISSION

There was no meeting of the Planning Commission since the last report provided to the Council.

COMMUNICATIONS

City Clerk Reimche presented the following letter from Mrs. Jerrie K. Abrahamson, President of the Lodi District Chamber of Commerce:

"The Board of Directors of the Lodi District Chamber of Commerce have approved, in their 1984 Plan of Action, the appointment of a Steering Committee to develop and coordinate a committee to encourage Economic Development in the Lodi area.

We will be requesting the members of the present City of Lodi Economic Development Commission to participate as a core group, to aid in the establishment of this committee. We would also appreciate any help or advice the City of Lodi staff can contribute to this effort.

It has been suggested that the City Council consider disbanding the present Economic Development Commission and allow the Chamber's newly proposed committee to explore the subject of Economic Development in the district.

You may recall that in the early 70's the very active Economic Development Committee, of the Chamber, was dissolved. This action was prompted by a request from the Board of Supervisors when the San Joaquin County Economic Development Association was formed. All chambers in the County cooperated in this joint endeavor.

Times have changed, the potential for new industries and jobs in San Joaquin County needs the active participation of all segments in the County aimed at Economic Development. We feel that the Chamber is the organization best suited for coordinating these efforts.

We look forward to working with the City Council, EDC members and City Staff in coordinating the type of Economic Development that is the most satisfactory and productive for the Lodi area."

CITY OF LODI ECONOMIC DEVELOPMENT COMMISSION DISBANDED

Following discussion, on motion of Council Member Reid, Murphy second, Council adopted Resolution No. 84-003 disbanding the City of Lodi Economic Development Commission, and directing the City Clerk to forward a copy of the originating Resolution setting forth the charge of this Commission to the Chamber of Commerce for their information.

RES. NO. 84-003

RES. PROTEST-
ING CALIFORNIA
LAND CONSERVA-
TION CONTRACTS

RES. NO. 84-004

City Clerk Reimche presented a letter which had been received from Joretta J. Hayde, Clerk of the Board of Supervisors giving notice that pursuant to Section 51243.5 of the Government Code that the Board of Supervisors intends to enter into California Land Conservation Contract which will include land within one mile of the exterior boundaries of the City of Lodi.

Following discussion, on motion of Council Member Pinkerton, Murphy second, Council adopted Resolution No. 84-004 - Resolution protesting execution of California Land Conservation contract for Edward Pelletti and Maria Vilma Pelletti; Assessors Parcel No. 057-140-16.

RESIGNATION
RECEIVED FROM
NAOMI MC CALLUM
CAREY

Following receipt of a letter of resignation from Naomi McCallum Carey as Lodi's representative to the San Joaquin Arts Commission, Council, on motion of Council Member Pinkerton, Snider second, directed the City Clerk to make the necessary posting for this vacancy.

The Council directed the City Clerk to send a letter of appreciation and congratulation to Mrs. Carey on her recent acceptance to the Peace Corps.

CONCERN FOR THE
WELL BEING OF
OFFICER BOWLING
EXPRESSED

The City Council expressed its concerns as well as those of the community on the well being of Officer Carl Bowling, recently wounded in the line of duty and expressed appreciation to the entire Police Department on the job being done by that department.

COUNCIL EXTENDS
APPRECIATION TO
POLICE DEPART-
MENT FOR THE
JOB ITS DOING

COMMENTS BY THE
PUBLIC ON NON
AGENDA ITEMS

There were no persons wishing to speak under this segment of the agenda.

REGULAR CALENDAR

Council was apprised that the Officer of Revenue Sharing has issued as final certain deferred provisions of its January 5, 1981, Section 504 regulations prohibiting handicapped based discrimination.

RULES AND
REGULATIONS
REGARDING
REVENUE
SHARING

The final rules became effective October 17, 1983. Administrative Requirements which are now in effect were presented for Council's perusal. It is much too early to truly ascertain what this means to the City of Lodi. A seminar is scheduled in Los Angeles on February 13 which will more fully explain the requirements.

However, prior to January 17, 1984, the city must issue necessary notices and announcements that the City of Lodi does not discriminate on the basis of handicapped status and a "responsible" employee must be designated to co-ordinate compliance of the new regulations.

Following discussion, on motion of Council Member Pinkerton, Snider second, Council directed that the City issue necessary notices and announcements that the City of Lodi does not discriminate on the basis of handicapped status, designated Assistant City Manager Jerry Glenn to coordinate compliance of the new Revenue Sharing regulations; and authorized the expenditures of up to \$1,000 from Revenue Sharing Funds to cover costs of notices, training, etc., to provide for the initial steps of this program.

Continued January 4, 1984

POLICE SERGEANTS TO BE MADE
MID-MANAGEMENT

Following introduction of the matter by the City Manager and Assistant City Manager, Council, on motion of Council Member Pinkerton, Murphy second, designated the City of Lodi's six Police Sergeants as Mid-Management employees of the City of Lodi effective 1/2/84.

FIRE PROTECTION FOR
COMPUTER ROOM

Council was informed in accordance with State Fire SYSTEM Regulations, the City Hall Basement Computer Room requires an Automatic around the Clock Fire Protection System. Presently there are no fire sprinklers supplied to this room because of the electrical requirements and the damage that would be incurred by dispensing water on the machines and paper work. The recommended fire system is Halon Gas, as this would meet all present conditions and further requirements, such as; running programs while the building is unattended. The Halon Gas is safe to dispense should there be personnel in the room, the automatic controls would shut down the heating and air conditioning basement system to confine the gas to the computer room, and audible alarms will alert City Hall and the Fire Department that the system is discharging, indicating a fire in the computer room. The total cost of this installation, including first time certification is \$5,500.00.

Following discussion, on motion of Mayor Pro Tempore Snider, Murphy second, Council approved a Special Allocation in the amount of \$5,500.00 to provide a fire protection system for the Computer Room.

LEASE PURCHASE
OF IBM SYSTEM
APPROVED

Council was apprised that the City has been informed by our IBM representative that an IBM System 36 Computer is 36 available to the City of Lodi. In anticipation of our needs he placed a non-binding tentative order for this new system. His rationale was based on his knowledge of the City of Lodi's present system and future requirements. Our present IBM System 34 is rapidly reaching the point that it cannot be further effectively expanded.

Our computer study is in the final stages and Council should be made aware that Ernst & Whinney is going to recommend the City obtain an IBM System 36.

While we are under no obligation to accept this equipment now, it may be advantages to do so for the following reasons:

The system available falls under an existing contract with the State of California that allows for a 30% discount. There is no guarantee this same agreement will be available next fiscal year.

The City would not be able to obtain a piece of equipment until after June of 1984 and we do not know the price.

The City has a current offer from a computer broker to purchase the City owned system 34 for \$16,845.00. If we wait until July of 1984 to sell the system it would be expected the price will drop 15% to 20%.

The system hardware and software anticipated will cost \$61,754.00 including tax. The sale of our present system will reduce the net cost to \$44,909.00.

Following discussion, on motion of Council Member Murphy, Reid second, Council approved the lease/purchase of an IBM System 36. Further, on motion of Council Member Reid, Murphy second, Council declared the City's System 34 as "surplus property".

CHECK RECEIVED
FROM NCPA
REPAYMENT FROM
THE DEVELOP-
MENT FUND

City Manager Glaves apprised the Council that a check had been received from the Northern California Power Agency in the amount of \$1,589,209.46 which represents a repayment from the Development Fund. With the tacit concurrence of the City Council, this money was appropriated to the Utility Outlay Reserve.

ADJOURNMENT

There being no further business to come before the Council Mayor Olson adjourned the meeting at approximately 11:25 p.m.

Attest:

Alice M. Reinche
Alice M. Reinche
City Clerk